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shall include a permission for the laboratory to furnish a complete test report together with a description of the quality control procedures to the Commandant, U.S. Coast Guard.

(b) The U.S. Coast Guard will review the test report and quality control procedures to determine if the approval requirements have been met. If this is the case, the Commandant will notify the laboratory that the material is approved and that when the material is listed and labeled it may be marked as being U.S. Coast Guard approved. Notice of U.S. Coast Guard approval will be published in CG-190.

(c) If disagreements concerning procedural, technical or inspection questions arise over U.S. Coast Guard approval requirements the opinion of the Commandant shall be requested by the laboratory.

(d) The manufacturer may at any time request clarification or advice from the Commandant on any question which may arise regarding manufacturing and approval of approved devices.

[CGFR 70-143, 35 FR 19967, Dec. 30, 1970]

§ 164.012-15 Termination of listing and labeling.

(a) Listing and labeling as an interior finish acceptable to the Commandant as approved may be terminated, withdrawn, canceled, or suspended by written notice to the recognized laboratory from the Commandant, or by written notice to the manufacturer from the recognized laboratory or from the Commandant.

(b) The condition which may be the cause for termination of listing and labeling may be any of the following:

(1) When the manufacturer does not desire to retain the service.

(2) When the listed product is no longer being manufactured.

(3) When manufacturer's own program does not provide suitable assurance of the quality of the listed and labeled product being manufactured.

(4) When the product manufactured no longer conforms to the current applicable requirements of the U.S. Coast Guard and the recognized laboratory.

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(5) When service experience or laboratory or U.S. Coast Guard reports indicate a product is unsatisfactory.

[CGFR 70-143, 35 FR 19967, Dec. 30, 1970]

Subpart 164.013—Foam, Unicellular Polyethylene (Buoyant, Slab, Slitted Trigonal Pattern)

SOURCE: CGD 95-028, 62 FR 51216, Sept. 30, 1997, unless otherwise noted.

§ 164.013-1 Scope.

(a) This subpart contains performance requirements, acceptance tests, and production testing and inspection requirements for polyethylene foam used in the construction of personal flotation devices (PFDs) approved under part 160 of this subchapter. Manufacturers shall also comply with the requirements of subpart 164.019 of this chapter.

(b) All polyethylene foams accepted under this subpart are non-standard components. Acceptance of polyethylene foam prior to being incorporated into finished PFDs, or during the course of manufacture, shall in no case be construed as a guarantee of the acceptance of the finished PFD.

§ 164.013-2 Incorporation by reference.

(a) Certain materials are incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than the one listed in paragraph (b) of this section, notice of change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material incorporated by reference may be inspected at the National Archives and Records Administration (NARA), and at the U.S. Coast Guard, Lifesaving and Fire Safety Division (CG-ENG-4), 2100 2nd St., SW., Stop 7126, Washington, DC 20593-7126, and is available from the source indicated in paragraph (b) of this section. For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/